

REMARKS

With this Amendment, Applicant amends claim 26. No new matter is added. Claims 1-26 currently stand rejected. In light of the foregoing amendments and the remarks presented below, Applicant respectfully requests reconsideration and allowance of all the claims of the present application.

I. Rejections of Claims 1-26 Under 35 U.S.C. § 103(a)

Claims 1-26 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable by Bickmore et al. (U.S. Patent No. 6,857,102 B1; hereinafter "Bickmore") in view of Lemel et al. (U.S. Patent No. 7,170,486 B2; hereinafter "Lemel").

Claim 1 requires "A method of accessing functionalities in hypermedia to be parsed and rendered by a user agent, the hypermedia including at least one element that has a predetermined attribute whereby a dynamically assignable keyboard shortcut for the user agent actuates a predetermined functionality associated with the at least one element, the method comprising:

parsing the hypermedia;

collating data corresponding to the at least one element in the hypermedia that have been assigned a keyboard shortcut using said predetermined attribute; and

rendering a display of the collated data."

Applicant respectfully submits that Bickmore and Lemel, either alone or combination, do not teach or suggest all of the above features of claim 1. In contrast to claim 1, Bickmore, at best, discloses a method of re-authoring a document to allow it to be displayed on a small screen. According to Bickmore, alone or in combination with Lemel, the method comprises dividing a document into a number of sections, which can be paragraphs, lists or cells in a table, creating a sub-page for each section and an index page with headings representative of each section and creating hyperlinks from each heading to its corresponding sub-page. The transformation process creates a document transformation space. Each state in this space represents a version of the document and a state can be expanded into a successor state by applying a single transformation technique to the re-authored document as it exists in that state. Bickmore, alone or in combination with Lemel, further explains that each successive transformation state is given an evaluation value which is a rough estimate of the screen area required to display the entire document as that document exists in that state.

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In rejecting claim 1, the Examiner alleges that in Bickmore, the collating and display of the data is done using an evaluation value which corresponds to the claimed “predetermined attribute.” (See pg. 3 of the Office Action) Moreover, the Examiner suggests that Bickmore discloses analyzing the hypermedia document and creating the transformation space corresponds to “parsing the hypermedia,” as required by claim 1 and selecting the transformation with an acceptable evaluation value and returning the selected version of the state to the user agent to correspond to “collating data corresponding to at least one element in the hypermedia that ha[s] a predetermined attribute,” as claimed. Additionally, the Examiner suggests that Bickmore discloses rendering the selected version and that this corresponds to “rendering a display of the collaged data,” as required by claim 1.

The Examiner correctly concedes that Bickmore does not teach or suggest all of the features of claim 1. However, the Examiner relies on Lemel to make up for the deficiencies of Bickmore. (See *id.*) In particular, the Examiner correctly concedes that “Bickmore does not” teach or suggest “us[ing] [a] keyboard shortcut, but the Examiner suggests that the claimed “keyboard shortcut ... functionality” is obvious in view of Lemel. Applicant respectfully disagrees and submits that Lemel does not make up for what Bickmore lacks. Lemel, alone or in combination with Bickmore, at best, discloses a system in which keyboard shortcuts can be dynamically assigned to actuate functionality associated with an element shown on a display when a key of the keyboard is pressed. For example, a key having a particular color may trigger a menu option on the display having a corresponding color.

However, the combination of Bickmore and Lemel would not lead to the features of claim 1 because a skilled artisan would not replace the evaluation value of Bickmore with the keyboard shortcuts taught by Lemel, (as suggested by the Examiner) as discussed below. Even assuming *arguendo* that Bickmore, alone or in combination with Lemel, discloses that the process of creating the transformation space and rendering the transformation state that has an acceptable evaluation value could be considered, as parsing hypermedia, collating data and rendering a display of the collated data, as suggested by the Examiner, the combination of Bickmore and Lemel still does not teach or suggest all of the features of claim 1. Applicant submits that a skilled artisan would not replace the evaluation value of Bickmore with the keyboard shortcuts taught by Lemel, as suggested by the Examiner. This is because the

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evaluation value indicates the merit of the transformation state and this is necessary for the system to determine which state to select and render. If, instead, each state was assigned a keyboard shortcut value, the system would not know when an acceptable state was reached and which state to select. As such, a skilled artisan would not modify Bickmore by replacing the evaluation value of Bickmore with the keyboard shortcuts of Lemel since to do so would change the principle of operation of Bickmore and there is simply no reasonable expectation that the Bickmore and Lemel references can be successfully modified in the manner suggested by the Examiner. (See MPEP §§ 2143.01, 2143.02)

For at least the foregoing reasons, Applicant submits that the combination of Bickmore and Lemel is deficient and does not teach or suggest all of the features of claim 1. Applicant therefore respectfully requests the Examiner to reconsider and withdraw the § 103(a) rejection of claim 1 and its dependent claims 2, 3, 4, 5 and 6.

Independent claims 7, 11, 19-21 and 26 each include recitations substantially similar to those of independent claim 1 with respect to elements that have been assigned a keyboard shortcut or an accesskey attribute except that the elements are identified. Since claims 7, 11, 19, 20, 21 and 26 contain features that are analogous to, though not necessarily coextensive with, the features recited in claim 1, Applicant submits that claims 7 and 11 and their respective dependent claims 8-10 and 12-18 as well as claims 19, 20, 21 and claims 22-25, which depend from claim 21 as well as claim 26 are patentable at least for reasons analogous to those submitted for claim 1.

With further regard to claim 7 and claim 11, Applicant submits that claims 7 and 11 are patentable for additional reasons. Claim 7 recites “[a] *browser* ... to provide: *parsing* of the hypermedia ...” and claim 11 recites “[a] *device* ... including a processor ... to *identify elements* that define predetermined keyboard shortcuts *in the hypermedia* and form an options list containing data associated with the identified elements ...” However, Bickmore, alone or in combination with Lemel does not teach or suggest that the browser/client device disclosed therein parses the hypermedia or identifies any elements in the hypermedia that is used to form an options list having data associated with the identified elements, as required by claims 7 and claim 11, respectively. Rather, column 10, lines 42-45 of Bickmore, at best, discloses that “[a]s soon as a state is created that contains a document version that is ‘good enough,’ the search can

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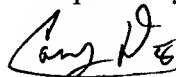
be halted and that version of the document is returned to the client device for rendering.”
Nowhere however is there any mention, teaching or suggestion in Bickmore, alone or in combination with Lemel, relating to a browser or client device parsing hypermedia or identifying elements in hypermedia that are used for an options list. Rather, given that Bickmore, alone or in combination with Lemel, at best, discloses that “the document is returned to the client device for rendering, any parsing is not performed by the client device but instead is performed, if at all, elsewhere.

II. Conclusion

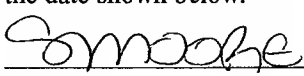
In view of the amendment and remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant’s undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Cory C. Davis
Registration No. 59,932

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777	<p style="text-align: center;">CERTIFICATION OF ELECTRONIC FILING</p> <p>I hereby certify that this paper is being filed via the Electronic Filing System (EFS) to the United States Patent and Trademark Office on the date shown below.</p> <div style="display: flex; justify-content: space-between;"><div data-bbox="722 1732 1112 1837"> Shana Moore</div><div data-bbox="1201 1732 1404 1837"><u>10/19/07</u> Date</div></div>
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